

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Chapter 11 Case

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,
REO SPECIALISTS, LLC, and
HOME AMERICA MORTGAGE, INC.,

Case No. 3:09-bk-07047-JAF
Case No. 3:09-bk-10022-JAF
Case No. 3:09-bk-10023-JAF

Debtors.

Jointly Administered Under
Case No. 3:09-bk-07047-JAF

In re:

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.,

Case No. 3:09-bk-07047-JAF

Applicable Debtor.

**ORDER SUSTAINING PLAN TRUSTEE'S OBJECTION TO CLAIM NO. 1524 FILED
BY RMS & ASSOCIATES DBA RESIDENTIAL MORTGAGE SERVICES**

THIS MATTER came before the Court without a hearing, upon the *Objection to Claim No. 1524 filed by RMS & Associates dba Residential Mortgage Services* [D.E. 5677] (the "Objection") dated July 16, 2012, filed by Neil F. Luria as Plan Trustee (the "Plan Trustee") for the Taylor, Bean & Whitaker Plan Trust¹ (the "Plan Trust") on behalf of the Debtor, Taylor, Bean & Whitaker Mortgage Corp., under negative notice in accordance with Local Rules 2002-4 and 3007. The Plan Trustee represents as follows:

¹ As of the effective date of the *Third Amended and Restated Joint Plan of Liquidation of the Debtors and the Official Committee of Unsecured Creditors* [D.E. 3240], August 10, 2011, the Debtors have been replaced by the Taylor, Bean & Whitaker Plan Trust.

1. The Objection was served upon RMS & Associates (dba Residential Mortgage Services) (the "Claimant") on July 16, 2012 [Certificate of Mailing, D.E. 5725].

2. The Objection provided the Claimant the right and opportunity to file a response to the Objection no later than 30 days from July 18, 2012. Accordingly, the deadline for responses to the Objection was August 17, 2012.

3. As of September 21, 2012, a check of the electronic entries docketed in this case confirms that no responses to the Objection have been filed with the Court. The Court, having considered the Objection, noting that no responses were entered on the docket from the Claimant, and being otherwise fully advised in the premises, thereupon

ORDERS as follows:

1. The Objection is hereby SUSTAINED.
2. Claim No. 1524 in the amount of \$2,955.31 is disallowed in its entirety.
3. The Court retains jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

DATED this 25 day of September, 2012, in Jacksonville, Florida.



Jerry A. Funk
United States Bankruptcy Judge